

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON**

| | |
|--|---|
| IN RE ETHICON, INC., PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION | Master File No. 2:12-MD-02327 MDL 2327 JOSEPH R. GOODWIN U.S. DISTRICT JUDGE |
| THIS DOCUMENT RELATES TO: WAVE SEVEN CASE LISTED ON EXHIBIT A | |

**DEFENDANTS' MOTION TO EXCLUDE THE
GENERAL OPINIONS AND TESTIMONY OF WILLIAM PORTER, M.D.¹**

COME NOW Defendants Ethicon, Inc. and Johnson & Johnson (collectively, "Ethicon"), and, pursuant to the Federal Rules of Evidence and *Daubert v. Merrill Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993), and its progeny, respectfully move the Court for an order excluding the general opinions and testimony of Plaintiffs' proffered expert, William Porter, M.D.

This motion, as explained in more detail in the accompanying Memorandum of Law in Support, is based on the grounds that Dr. Porter failed to employ a reliable methodology to arrive at his causation opinions, that he lacks the requisite credentials to offer certain of his opinions, and that certain of his opinions constitute inadmissible hearsay. This motion is supported by the Memorandum of Law in Support, Exhibits A thru C attached hereto, and all other papers on file in this action.

WHEREFORE, for the reasons set forth above and in the accompanying Memorandum of

¹ The specific case to which this motion relates is listed in Ex. A.

Law in Support, Ethicon requests that this Court grant its motion and exclude Dr. Porter's general causation opinion testimony in its entirety.

Respectfully submitted,

ETHICON, INC. AND
JOHNSON & JOHNSON

/s/ William M. Gage

William M. Gage (MS Bar #8691)
Butler Snow LLP
1020 Highland Colony Parkway
Suite 1400 (39157)
P.O. Box 6010
Ridgeland, MS 39158-6010
(601) 985-4561
william.gage@butlersnow.com

/s/ Susan M. Robinson

Susan M. Robinson (W. Va. Bar #5169)
Thomas Combs & Spann PLLC
300 Summers Street
Suite 1380 (25301)
P.O. Box 3824
Charleston, WV 24338
(304) 414-1800
srobinson@tcspllc.com

Counsel for Defendants
Ethicon, Inc. and Johnson & Johnson

CERTIFICATE OF SERVICE

I certify that I have this day electronically filed this document with the clerk of the court using the CM/ECF system, which will send notification of this filing to CM/ECF participants registered to receive service in this MDL.

/s/ William M. Gage

William M. Gage